

U.S. DEPARTMENT OF TRANSPORTATION
OFFICE OF HEARINGS
WASHINGTON, DC

DEPT. OF TRANSPORTATION
FACILITY

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In the Matter of:

ROYAL AVIONICS SYSTEMS, INC.

Respondent

FAA DOCKET: Not Assigned

CP99WP0021
+ FAA 99-5976-2
FAA CASE NO. 98WP070141

JUDGE NOT ASSIGNED

COMPLAINT

The Regional Counsel for the Western-Pacific Region, Federal Aviation Administration (FAA), hereby files his Complaint, pursuant to Rule 208 of the Rules of Practice (14 C.F.R. 13.208), and states as follows:

I.

1. By Notice of Proposed Civil Penalty dated April 19, 1999, and by Final Notice of Proposed Civil Penalty dated June 29, 1999, Royal Avionics Systems, Inc. was advised that the FAA proposed to assess a civil penalty against it in the amount of \$3,300.00.

2. Royal Avionics Systems, Inc. (hereinafter, "ROYAL AVIONICS") now, and at all times mentioned herein was, the holder of Air Agency Certificate No. HN3R559L.

3. On or about February 9, 1998, ROYAL AVIONICS performed maintenance in that it removed and replaced a weather radar receiver/transmitter and approved it for return to service.

4. Maintenance on a weather radar receiver/transmitter by the holder of an air agency certificate requires a Radio Class III rating or a Limited Radio Rating listing the type of weather radar system worked on.

5. On or about February 9, 1998, ROYAL AVIONICS performed maintenance on a flux valve and approved it for return to service.

6. Maintenance on a flux valve by the holder of an air agency certificate requires an Instrument Class III rating or a Limited Instrument rating listing the flux valve worked on.

7. On or about April 1, 1998, ROYAL AVIONICS performed maintenance on a heading system and approved it for return to service.

8. Maintenance on a heading system by the holder of an air agency certificate requires a Class III Instrument rating or a Limited Instrument rating listing the heading system worked on.

9. At all times relevant herein, ROYAL AVIONICS was not rated to perform the maintenance referenced in paragraphs 3, 5 and 7, above.

II.

By reason of the foregoing, ROYAL AVIONICS violated the following section of the Federal Aviation Regulations:

Section 145.53, which states that a certificated domestic repair station may not maintain or alter any airframe, power-plant, propeller, instrument, radio, or accessory for which it is not rated.

III.

1. Pursuant to 49 U.S.C., Section 46301 (a)(1), Royal Avionics Systems, Inc. is subject to a civil penalty not to exceed 1 ,100.00 for each of the violations noted.

2. Under the facts and circumstances of this case, a civil penalty of \$3,300.00 is appropriate.

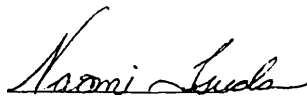
WHEREFORE, the Regional Counsel, FAA, Western-Pacific Region, respectfully requests that the Administrative Law Judge enter an order that Respondent be assessed a civil penalty in the amount of \$3,300.00.

Respectfully submitted,

Federal Aviation Administration
Western-Pacific Region

DeWITTE T. LAWSON, JR.
Regional Counsel

By:



Naomi Tsuda
Attorney

DATED: July 21, 1999

CERTIFICATE OF SERVICE

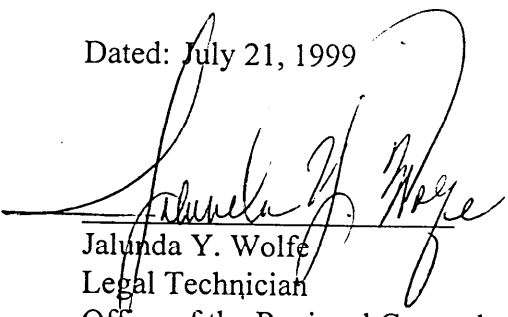
I hereby certify that on this date I have placed in the United States mail, postage prepaid, certified mail, the executed original and one copy of the Complaint, addressed as follows:

Attn: Hearing Docket Clerk
Federal Aviation Administration Hearing Docket
800 Independence Avenue, S.W., Room 924A
Washington, DC 20591

I further certify that on this date I have placed in the United States mail, postage prepaid, certified mail, a true copy of the Complaint, addressed as follows:

William F. Flannery
ROYAL AVIONICS SYSTEMS, INC.
46 10 E. Fighter Aces Drive
Mesa, AZ 85215

Dated: July 21, 1999



Jalunda Y. Wolfe
Legal Technician
Office of the Regional Counsel
Federal Aviation Administration .